

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of Confirmation No. 8997
Henri SAMAIN et al Art Unit 1615
Serial No. 10/088,994 Examiner Venkat
Filed: June 27, 2002
For: COSMETIC COMPOSITION BASED ON PARTIALLY
NEUTRALIZED ORGANOSILICON COMPOUNDS

TERMINAL DISCLAIMER

Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned petitioner, an attorney of record, is hereby acting for L'OREAL, a corporation of Paris, France, which is the owner of 100% of all rights, title and interest in and to the subject application as shown by the Assignment recorded July 18, 2002 on Reel 13100 at Frame 674, and hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the subject application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened (if at all) by any terminal disclaimer of any patent granted in regard to U.S. Application No. 10/069,220 (corresponding to International Application WO 01/15661, filed September 1, 2000), to which said entity also has legal title.

Petitioner hereby reserves the right to extend the term of the patent, which issues on this application, for regulatory

delay or otherwise as the law allows. Petitioner hereby agrees that any patent so granted on the subject application shall be enforceable only for and during such period that it and the above-noted application are commonly owned. This agreement runs with any patent granted on the subject application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the above-noted application, as presently shortened by any terminal disclaimer, of the above-noted application in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is otherwise terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

November 18, 2004

Date

D. Douglas Price
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Attorney of Record

